

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 1-11 and 13 have been canceled, and claims 14 and 15 have been newly added. Support for the subject matter of the new claims is provided for example in the original claims, the abstract, and paragraphs [0224] and [0266] of the published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claim 12 stands withdrawn from consideration as being directed to non-elected subject matter.

Claims 1-7, 9-11, and 13 were rejected, under 35 USC §103(a), as being unpatentable over Jensen (US 6,397,077) in view of Sano et al. (US 2002/0181421). Claim 8 was rejected, under 35 USC §103(a), as being unpatentable over Jensen in view of Sano and alleged well-known prior art.

To the extent these rejections may be deemed applicable to new claims 14 and 15, the Applicants respectfully traverse based on the points set forth below.

Claim 14 defines a wireless communication apparatus that receives information related to a number of subcarriers from a base station, extracts a number of subcarriers subject to channel quality indicator (CQI) reporting from the received information, and transmits a number of CQIs matching the number of subcarriers subject to the CQI reporting. The claimed subject matter provides an advantage of reducing the amount of transmitted control information so as to reduce

power consumption, reduce channel interference, and make the reduced channel resources available for conveying payload data (see specification page 3, lines 17-23).

By contrast to the Applicants' claimed subject matter, Jensen discloses selecting an optimal frequency band according to a received signal quality (see Jensen col. 9, lines 26-32). Moreover, Sano discloses selecting a subcarrier group to demodulate, based on information of the number of subcarrier groups (see Sano paragraph [0131]).

Neither Jensen nor Sano discloses or suggests the Applicants' claimed subject matter of receiving information related to a number of subcarriers from a base station, extracting a number of subcarriers subject to CQI reporting from the received information, and transmitting a number of CQIs matching the number of subcarriers subject to the CQI reporting.

Accordingly, the Applicants submit that, even if Jensen and Sano were combined in the manner asserted in the office action, the result still would lack all of the elements of the Applicants' claims. Thus, these references, whether considered individually or in combination, do not anticipate or render obvious the novel and unobvious subject matter defined by new claim 14.

Independent claim 15 similarly recites the above-mentioned subject matter distinguishing apparatus claim 14 from Jensen and Sano, but does so with respect to a method. Therefore, allowance of claims 14 and 15 is warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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